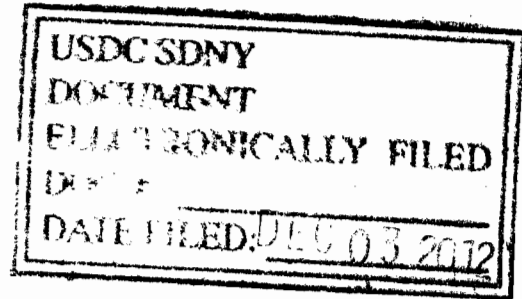


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA,

Plaintiff,

v.

ANY AND ALL FUNDS ON DEPOSIT AT
UNICREDIT AKA HYPOVEREINS (NEW
YORK BRANCH) ACCOUNT NUMBER
1100010868 HELD IN THE NAME OF
ITALPREZIOSI SPA,

ANY AND ALL FUNDS ON DEPOSIT AT
BANCA INTESA (NEW YORK BRANCH)
ACCOUNT NUMBER 124050810001 HELD
IN THE NAME OF ITALPREZIOSI SPA

Defendants-in-rem.

STIPULATION AND ORDER OF
DISMISSAL WITHOUT
PREJUDICE REGARDING
ITALPREZIOSI

12 Civ. 7530 (GBD)

WHEREAS on September 7, 2012, the United States District Court for the Southern District of New York issued a warrant (the "September 7 Warrant") for the seizure of all funds currently on deposit at Unicredit a/k/a Hypovereins (New York branch), account number 1100010868 ("Italpreziosi Account-1"), held in the name of Italpreziosi SpA ("Italpreziosi"), and all funds currently on deposit at Banca Intesa (New York branch), account number 124050810001 ("Italpreziosi Account-2"), held in the name of Italpreziosi SpA (collectively the "Italpreziosi Accounts");

WHEREAS on October 9, 2012, the United States of America filed a Verified Complaint seeking civil forfeiture of any and all funds in the Italpreziosi Accounts pursuant to Title 18, United States Code, Section 981(a)(1)(A) and Title 21, United States Code, Section 881(a)(6) (the "Complaint");

WHEREAS counsel for Italpreziosi has provided evidence in support of its claim that it was an innocent owner under Title 18, United States Code, Section 983(d)(3)(A), in that it was a bona fide purchaser or seller for value, and did not know and reasonably was without cause to believe that the property was subject to forfeiture;

IT IS HEREBY STIPULATED THAT:

1. The Complaint as to the funds in the Italpreziosi Accounts shall be dismissed without prejudice to the United States' right to file an amended complaint within 30 days from the date this stipulation is so ordered;

2. The Complaint as to the funds in the Italpreziosi Accounts shall be dismissed with prejudice if the United States fails to file an amended complaint within 30 days from the date this stipulation is so ordered;

3. The September 7 Warrant shall remain in effect as to the Italpreziosi Accounts until further order of the Court except that, if the United States of America does not file an amended complaint after 30 days from the date this stipulation is so ordered, the September 7 Warrant shall be vacated as to the Italpreziosi Accounts;

4. Italpreziosi (including all of its agents, officers, employees, shareholders, and other affiliates or representatives, whether natural persons or corporate entities) is hereby barred from asserting any claim against the United States or any of its agents and employees (including, without limitation, the Drug Enforcement Administration ("DEA") and the United States Attorney's Office for the Southern District of New York ("USAO-SDNY")) in connection with or arising out of the United States' seizure, restraint, and/or constructive possession of the contents of the Italpreziosi Accounts including, without limitation, any claim that the United States did not have probable cause to seize and/or forfeit the Italpreziosi Accounts, that

Italpreziosi is a prevailing party, or that Italpreziosi is entitled to attorneys' fees or any award of interest.

5. Italpreziosi represents that it is the sole owner of the contents of the Italpreziosi Accounts and agrees to hold harmless the United States and any and all of its agents and employees (including, without limitation, the DEA and the USAO-SDNY) from any and all third-party claims in connection with or arising out of the United States' seizure, restraint, and/or constructive possession of the contents of the Italpreziosi Accounts.

6. Paragraphs Four and Five will be null and void if an amended complaint is filed against the Italpreziosi Accounts.

7. This Stipulation and Order of Dismissal Without Prejudice (the "Stipulation") shall in no way be deemed an admission of any wrongdoing, culpability, liability, or guilt on behalf of Italpreziosi or any of its agents, officers or employees, past and present. Further, this Stipulation shall in no way constitute any reflection upon the merits of the claims and defenses asserted respectively by the United States and Italpreziosi, or upon the validity of the seizures conducted pursuant to the September 7 Warrant.

8. The parties hereby waive all rights to appeal or to otherwise challenge or contest the validity of this Stipulation.

9. Each party shall bear its own costs and attorneys' fees.

10. This Stipulation may be executed in one or more counterparts and transmitted by facsimile or electronic means, each of which counterparts will be deemed to be an original and which taken together will constitute the Stipulation.

11. This Stipulation represents the entire agreement of the parties and shall only be modified by written amendment.

For the United States:

PREET BHARARA
United States Attorney

BY:

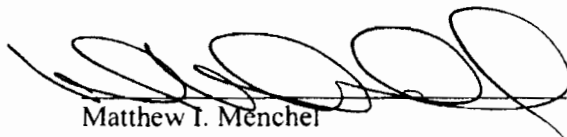


Paul Monteleoni
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2219

DATE:

12/3/12

For Italpreziosi:



Matthew I. Menchel
Kobre & Kim LLP
800 3rd Avenue
New York, NY 10022
(212) 488-1208

DATE:

12/3/12

SO ORDERED:



THE HONORABLE GEORGE B. DANIELS
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK

DATE:

12/3/12